

NOTICE OF CONSTRUCTION LIEN

NOTICE IS HEREBY GIVEN, pursuant to Mississippi Code Annotated § 85-7-131 et. seq., of a lien asserted against real property located in DeSoto County, Mississippi being more specifically described as follows:

The lienholder is **SUMMERALL ELECTRIC CO., INC.** whose mailing address is 3135 E. Shelby Drive, Memphis, TN 38118.

The record owner of the property is **CHURCH OF GOD AT SOUTHAVEN IN DESOTO COUNTY, MISSISSIPPI** (pursuant to Warranty Deed recorded in Deed Book 271, Page 466 in the office of the Chancery Clerk of DeSoto County, Mississippi) through its trustees being Horace Dunn, James E. Inman, Jr. and Charles Mooney or others whose address is 700 Church Road East, Southaven, MS 38671. A copy of this Notice has been sent certified mail, return receipt requested to addressed listed immediately above. A copy of this Notice has also been sent certified mail, return receipt requested, to the mortgage lienholder of record, Trustmark National Bank, attn: Harvey Ferguson, 2510 Highway 51 South, Hernando, MS 38632.

The property subject to this lien is described as:

Beginning at a point 40 feet north of and 902.00 feet east of a point commonly accepted as the southwest corner of the southeast quarter of Section 6, Township 2 South, Range 7 West, DeSoto County, Mississippi; thence run North 00°12'14" West a distance of 1282.28 feet to a point on the north line of the southwest quarter of said quarter section, said line being the south line of the John D. Baptist property; thence run North 89°43'02" East a distance of 426.98 feet along said north quarter-quarter section line and said Baptist south line to the northeast corner of said quarter-quarter section; thence run South 00°12'14" East a distance of 1286.60 feet along the east line of said quarter-quarter section to a point 40 feet north of the south line of said quarter section; thence run North 89°42'13" West a distance of 427.00 feet along a line 40 feet north of and parallel to said south quarter section line to the Point of Beginning and containing 12.59 acres, more or less. All bearings are true.

(Being the same property conveyed by the Warranty Deed recorded in Deed Book 271, Page 466 in the office of the Chancery Clerk of DeSoto County, Mississippi)

The amount of the lien is Eighty Seven Thousand Twenty-One dollars and 82/100ths (\$87,021.82), plus interest and attorney's fees as provided by law. A copy of the contract is attached hereto as "Exhibit A".

The lienholder provided electrical labor and materials through the general contractor,

Rich

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National Church Services, Inc., which Owner requested and benefitted therefrom.

A lawsuit for enforcement of this lien has not been commenced prior to the filing of this Notice.

This the 6th day of November, 2006.

Summerall Electric Co., Inc.

by: 

Joseph M. Sparkman, Jr. 9438

Attorney for Lienholder

Post Office Box 266

Southaven, MS 38671-0266

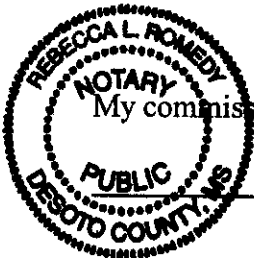
662-349-6900

Rick@Sparkman-Zummach.com

State of Mississippi
County of DeSoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 6th day of November, 2006, within my jurisdiction, the within named Joseph M. Sparkman, Jr., who acknowledged that he executed the above and foregoing instrument.


Notary Public



Notary Public State of Mississippi
My commission expires:
August 24, 2010

NATIONAL CHURCH SERVICES, INC
Church Building Specialist



March 14, 2006
Summerall Electric Co., Inc
Mr. Blair Carlson
3135 E. Shelby Dr..
Memphis, Tn 38118

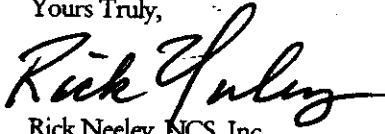
Dear Mr. Carlson,

Thank you for working with us on this project. We, at National Church Services, look forward working with you and building a relationship.

Please find, following, our simplified contract agreement.

Thank you and please call at any time I can be of service.

Yours Truly,


Rick Neeley, NCS, Inc

sc. Earl Dowdy Chip Green
file

803-524-1811
Rock Hill, SC

4801-403-4912
Salt Lake City, UT

Handwritten initials "RN" and a checkmark.

NATIONAL CHURCH SERVICES, INC Church Building Specialist



Simple Contract of Agreement between National Church Services, Inc and Summerall Electric Co., Inc

Contract of Agreement between Summerall Electric Co., Inc and National Church Services, Inc

Agreement made as of the 14th day of March in the year of 2006 between:

CONTRACTOR: National Church Services, Inc
P O Box 9906
Salt Lake City, Ut. 84109

AND THE SUBCONTRACTOR: Summerall Electric Co., Inc
3135 E. Shelby Dr.
Memphis, Tn 38118

The contractor has made a contract for construction dated September 24, 2005

With the owner: Southaven Church of God
700 Church Road East
Southaven, Ms 38617

For the following Project:
Design, Engineering and Construction of a new worship facility for Southaven Church of God.

Which contract is hereafter referred to as the Prime Contract and which provides for the furnishing of labor, Materials, equipment and services in connection with the construction of the project.

The Contractor and the Subcontractor agree as follow:

803-524-1811
Rock Hill, SC

4801-403-4912
Salt Lake City, UT

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NATIONAL CHURCH SERVICES, INC

Church Building Specialist



Scope of work:

Furnish labor, materials and equipment for the complete Electrical System for the Southaven Church Of God in Southaven, Ms. All work to be per drawings, specifications and your bid dated ~~February~~ ^{MARCH} 13, 2006. This includes all work from drawings dated 9-20-05 by Carolina Engineering Solutions, your adder for Fire Alarm devices and installation and adder for dimming system ^{* preliminary drawings} ~~4D~~

Exclusion:

Per your Bid Notes on your proposal attached dated ~~February~~ ^{MARCH} 13, 2006 ^{4D}

Contract Cost: \$107,770.00

Additional Work:

Finish Material:

Schedule:

Draw Schedule: All invoices submitted by the 10th of each month will be paid by the 15th of the following month.

Receipt of payment:

Insurance: Please provide workman's compensation, general liability and auto insurance with Southaven Church of God and NCS, Inc noted as additional insured.

Fax copy to: National Church Services, Inc 1-800-642-2519

Hard Copy to:
National Church Services, Inc
PO Box 397
Fort Mill, S C 29716

On site information:

Southaven Church of God
700 Church Road East
Southaven, M S 38617

Project Manager
Mr. Rick Neeley
901.282.8935

803-524-1811
Rock Hill, SC

4801-403-4912
Salt Lake City, UT

4D

RN

NATIONAL CHURCH SERVICES, INC



Church Building Specialist

Please sign an original document, on which this text appears in red. All sheets must be initialed and there shall be nothing obscure unless initialed by both parties.

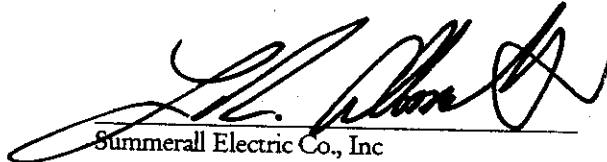
Addendum

- 1-In process lien waivers must be signed before each payment
- 2-The construction law of Utah will guide all mediation and contractual issues.
- 3-Additional work or change of scope must be approved, in writing, before the start of work
- 4-Any use of on site facilities or storage is acceptable, but NCS will not be responsible for lost or missing items or any injury that may occur while on site.
- 5-If subcontractor fails to complete his work in a timely manner NCS, Inc. has the right , (after sufficient notice and warnings) to take control of subcontractors materials and equipment to complete the project with supplemented work forces.

This Agreement entered into as of the day and year first written above.


National Church Services, Inc

RICK NEELEY Project Manager
Printed name and Title


Summerall Electric Co., Inc

Lou A. Albonetti, President
Printed name and Title

Please sign an original document, on which this text appears in red. All sheets must be initialed and there shall be nothing obscure unless initialed by both parties.

803-524-1811
Rock Hill, SC

4801-403-4912
Salt Lake City, UT



Summerall Electric Co., Inc.

Electrical Contractors

Incorporated 1959

3135 E. Shelby Dr. Memphis, TN 38118
901.795.4455 Fax 901.795.4222

Revised ELECTRICAL BID PROPOSAL

Mississippi Contractor Certificate of Responsibility #02172 Expires 10-11-06

Date: March 13, 2006

To: Rick Neely National Church Services

From: Blair Carlson *BC*

Revised Bid Proposal for: SOUTHAVEN CHURCH OF GOD
700 Church Road East Southaven, Mississippi

We propose to furnish materials and labor for the electrical plans dated 03-02-06 E1.0, E1.1, E2.0 & E3.0 from NCS and James Joye Electrical Engineer for the electrical wiring as listed below:

BUILDING & SITE-----One Hundred Seven Thousand Seven Hundred Seventy Dollars **\$107,770.00.

****ADDER for copper underground electrical service from utility transformer to MDP:
ADD \$6,500.00.**

Bid Notes:

- No utility fees or utility equipment costs included.
- Lighting fixtures are provided by owner.
- Storage containers for owner supplied materials, fixtures and etc. provided by others.
- No concrete for housekeeping pads, site lighting or other locations on site.
- No painting, seismic design, roof penetrations or fire stopping included.
- Sound equipment and installation by others; rough-in electrical per sheet E3.0.
- No saw cutting or patching of concrete or asphalt included.
- No HVAC starters or control wiring under 120 volts.
- UG electrical secondary and feeder conductors to be aluminum.
- MC cable used in concealed walls and ceilings as permitted by code.
- Temporary construction power included, no equipment rental, meter or use fees included.
- No payment and performance bonding included, amount available upon request.
- This proposal expires in 30 days due to volatile commodities markets.

We are transmitting One Page.

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